

REMARKS

Applicants respectfully request entry and examination of new claims 57-67. No new matter has been added as a result of these amendments. The following remarks are respectfully submitted.

I. Rejections Under 35 USC §102

Claims 39 and 50 are rejected under 35 USC 102(b) as being anticipated by Eaton et al. (US 5,954,654).

Applicants traverse the rejection of claims 39 and 50 and present the following argument pointing out specific distinctions believed to render the claims patentable over the cited reference.

Claims 39 and 50 define a catheter for ablation and/or mapping of tissue including a first deflection member extending to a first junction and deflecting a distal segment of a distal section, and a second deflection member extending to a second junction and deflecting a proximal segment of the distal section; the first junction coupling the distal segment to an intermediate segment and the second junction coupling the intermediate segment to the proximal segment. Although Eaton et al. discloses two pairs of steering lines 204 as illustrated in Figure 7, which may correspond to a type of deflection member similar to those disclosed in the present application, Eaton et al. do not show or suggest a **catheter distal section** including a first junction to which a first deflection member extends and second junction to which a second deflection member extends. Rather, Eaton et al. teach that the steering lines "run the length of the catheter from the proximal to the distal end" (column 5, lines 54 – 58) and further describe steering lines in conjunction with Figures 1 and 2 as being "secured in place to the distal end of a short segment 21" (column 3, lines 16-19).

Finally, applicants respectfully point out that Figure 7 of Eaton et al. does not show two distinct deflection sections of the catheter; rather Figure 7 illustrates only a **proximal end** of a catheter 202 extending from a housing 206 in which steering lines 204 are anchored to steering hubs 216 and 218.

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In light of the above argument applicants respectfully request that the Examiner withdraw the rejection to claims 39 and 50.

II. Rejections under 35 USC §103

Claims 40, 42, 43, 46-49, 52, 53, 55 and 56 are rejected under 35 USC §103 (a) as being unpatentable over Eaton et al., as applied to claims 39 and 50 above, and further in view of Webster Jr. (U.S. 5,626,136).

Applicants traverse the rejection of claims 40, 42, 43, 46-49, 52, 53, 55 and 56 and submit that these claims are patentable based on the argument presented herein for independent claims 39 and 50. Therefore applicants respectfully request that the Examiner withdraw the rejection to claims 40, 42, 43, 46-49, 52, 53, 55 and 56.

III. Allowable Subject Matter

Claims 41, 44, 45, 51 and 54 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim.

Applicants traverse the objection to claims 41, 44, 45, 51 and 54 and submit that these claims are allowable based on the argument presented herein for independent claims 39 and 50. Therefore applicants respectfully request that the Examiner withdraw the objection to claims 41, 44, 45, 51 and 54.

IV. Conclusion

Applicants respectfully request that the Examiner acknowledge and make of record in the file an additional Information Disclosure Statement including US patent 6,602,278 submitted by Applicant per CFR § 1.97(c) on the same date as this response.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

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12


No amendment made was related to the statutory requirements of patentability; and no amendment made was for the purpose of narrowing the scope of any claim.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned agent to attend to these matters.

Respectfully submitted,

Mark T. Stewart, et al.
By their agent,

Date: December 15, 2003


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